MINUTES OF THE BOARD OF POLICE COMMISSIONERS MEETING TUESDAY, AUGUST 28, 2012

A meeting of the Board of Police Commissioners of Kansas City, Missouri was held on Tuesday, August 28, 2012, at Police Headquarters, 1125 Locust, Kansas City, Missouri.

PRESENT:

Commissioner Lisa T. Pelofsky, President Commissioner Alvin L. Brooks, Vice President Commissioner Angela Wasson-Hunt, Treasurer Commissioner Patrick A. McInerney, Member Darryl Forté, Chief of Police (arrived at 10:45 a.m.) Mayor Sylvester "Sly" James, Jr., Member Mr. David V. Kenner, Secretary/Attorney

This meeting was called to order at 9:10 a.m. by Commissioner Pelofsky. The invocation was provided by Pastor Ken Ray.

1. <u>Awards and commendations</u>.

A Certificate of Appreciation was presented to Ms. Pamela Knapp, head coach for the Girls on the Run Program. This is a non-profit organization aimed at girls in 3rd through 5th grade that helps to encourage physical fitness and build confidence through accomplishment.

2. Mr. Gary White.

Mr. White presented the monthly status report dated August 3, 2012. In reference to the police video records audit, the field work has been completed and the Auditor's office is in the process of drafting a report. Once the draft report is complete it will be presented to Chief Forté for review.

3. <u>Councilman John Sharp, Public Safety and Emergency Services</u> Committee.

Councilman Sharp said the Legislative Committee of the City Council will hold hearings to discuss legislative priorities in the coming months the City Council supports is a statewide law dealing with copper theft and other precious metals. He said Kansas City currently has a strong ordinance which addresses copper theft, however, a statewide prohibition would be welcomed.

Councilman Sharp said the City Council is considering revisions to the red light camera ordinance and the City is considering adding cameras.

The City is also considering an ordinance that addresses the sale and display of "blunt wraps," in which the tobacco is emptied out and the wrap is refilled with marijuana. He said some convenience stores sell empty wraps and several cities around the country have restricted the sale of these items.

Councilman Sharp said there will be a series of ordinances introduced to increase Municipal Court fines from \$500 to \$1000.

Councilman Sharp said that a representative from one of the City's health insurance consultants may be contacting the Board to see if the police department would be interested in participating in a couple of voluntary employee benefit programs that will be offered to City employees. These are critical illness coverage and the other is accident coverage. He also discussed a diabetes awareness campaign that the health care trust is sponsoring.

4. Approval of the minutes.

In reference to the July 17, 2012 minutes, Commissioner Wasson-Hunt asked if a roll call needs to be listed with each vote. Mr. Kenner said he will look into this matter.

A motion was made by Commissioner Wasson-Hunt with a second by Mayor James approving the minutes from the June 26, 2012 oral argument; the June 28, 2012 e-mail vote; the July 17, 2012 regular meeting; and the July 23, 2012 telephone conference. The vote to approve was 5-0 in favor.

Commissioner McInerney thanked Mr. Kenner for his work on the June 26, 2012 oral argument.

5. Mr. Eric Bosch, City Architect. Mr. Bosch provided an update on the current construction projects.

Mr. Bosch said there has been much progress on the demolition at police headquarters which is right on schedule.

Landscaping will begin at the new SPD that will include irrigation systems, grass and trees. Concrete work is also being done. Flooring and furniture is being installed in the interior. The tentative move in date is October 2012. Commissioner Brooks asked what will happen to the old SPD building. Mr. Bosch said the police department is considering using it for another purpose or the City will determine if there is a use for it.

With regard to the new EPD and crime lab, Commissioner Brooks asked how many properties in this area have not yet been acquired by the City. Mr. Bosch said 21 properties may possibly go to condemnation. Some are just a

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matter of title clearance and five will go to condemnation hearings during September 2012. Commissioner Brooks asked to be notified of the hearing dates. Commissioner Wasson-Hunt asked for the number of properties that were acquired for this project. Mr. Bosch said 128, including 67 buildings.

Commissioner Brooks asked that a current aerial view of the properties be provided.

Mr. Dale Duncan with Helix Architects presented designs and drawings of the construction project. He said about three months ago Helix presented images to the Board and these diagrams of the site has been further refined since then. He said the functions, arrangement of spaces, and materials to be used have been considered. The materials used will be similar to those of the neighborhood using masonry, brick materials, and glass. Commissioner Brooks asked if any items from the demolished buildings will be re-used in the new construction. Mr. Duncan said they will salvage all of the stone and brick masonry possible and look for ways to reintroduce those materials into the new building or retaining walls.

Major Laningham said they are working with Habitat for Humanity ReStore and anything that can be salvaged from these homes will be given to ReStore so that residents of that neighborhood can obtain the materials for use in their homes. Preference will be given to those residents in the area of the construction. Mr. Bosch took a group through the homes to see what materials could be reused and the City and ReStore have a memorandum of

understanding that allows the City to store the materials at ReStore until the City decides what will be reused for the EPD project.

Commissioner Brooks asked 3rd District Councilman Jermaine Reed, who was in attendance at this meeting, if he was involved with this project. Councilman Reed said he was very involved and meets with Mr. Bosch and the design team weekly.

Mr. Duncan said the project is currently in the "design development phase" and will move into the "construction documents phase," in which bid documents are compiled.

Mr. Bosch said bus shelters will be placed in the area of 27th and Prospect, and this area may become a MAX bus stop.

Mr. Bosch said the next phase is to hire the Construction Manager at Risk.

A recommendation has been made and this item will come to the Board next month for consideration. Helix will work directly with this contractor and construction will begin next spring.

Investigations Bureau. Deputy Chief Randy Hundley reported that year-to-date there have been 67 homicides with 74 for the same time period last year. Deputy Chief Hundley said there are 1,822 cases that have been presented to the prosecutor and charges were filed in 1,401 of these.

With regard to drive-by shootings, there have been 28 in June 2012, as compared to 22 in June 2011.

The Cold Case Sex Crimes backlog disposition is currently at 880 cases in need of review.

Deputy Chief Hundley submitted the Narcotics and Vice Summary for July 2012. This report is Attachment "A" and is made a part of these minutes.

Deputy Chief Hundley submitted the 2nd quarter Homicide Analysis which is marked Attachment "B" and is made a part of these minutes.

Manager Doug Weishar provided an update on the Community Support Division. He introduced his staff, Sergeant Bernadette Bond, Sergeant Darrel Rocker and Police Officer Mike Schneider. He also introduced Clerical Supervisor Jennifer Miller. Her position as victim advocate is a large component of the Community Support Division and she has been of great assistance. Chief Forté began the Community Support Division to enhance our victim services to not only victims and their families, but to witnesses. This new Division concentrates on providing crime prevention, intervention, and reduction strategies to help address the violent crime in Kansas City. Manager Weishar is working to develop a manual for this new Division for review and approval by Chief Forté and the Command Staff. This Division recently spent time providing outreach in the "hot spots." In June the staff went to 700 households and had a positive response from the community. Residents then attended a community forum. This Division has also partnered with Missouri Probation and Parole to make contact with all of the probationers and parolees in the "impact zone" with the goal of helping to provide services to these probationers and parolees and to ask them to assist with efforts to improve the community. The next phase is youth offenders and at-risk youth.

Commissioner Brooks said he is pleased with the implementation of this new Division. He also thanked Ms. Jennifer Miller for her role as victim advocate. Commissioner Brooks said that the Ad-Hoc Group Against Crime frequently works with Ms. Miller in assisting victims of crime and their families.

Commissioner McInerney asked how the Community Support Division plans to expand the role of victim advocate. Manager Weishar said the goal is to have a victim advocate or liaison assigned to each case to work with the victims throughout the investigation of their case. The victim advocates will provide crisis intervention at the scene and assist the victims with their immediate needs. Manager Weishar said he hopes to begin training of these victim advocates next spring. The victims unit will be providing services within four months. Commissioner Brooks stated that it is very important to have continued support for victims and their families.

Deputy Chief Hundley commended Manager Weishar and the Community Support Division for providing crisis intervention for the neighborhood in which a young girl was found locked on a closet.

A motion was made by Commissioner Brooks with a second by Commissioner McInerney to go hold a special closed session at 10:13 a.m. in Chief Forté's office to discuss employment matters.

RESOLUTION

WHEREAS, notice of the board meeting of the Board of Police Commissioners was given on May 23, 2012, and

WHEREAS, said notice indicated that the Board of Police Commissioners might go into closed session during said meeting, and

WHEREAS, notice of the closed meeting follows the guidelines of Section 610.020 of the Revised Statutes of Missouri.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Police Commissioners go into closed session during the meeting being held on Tuesday, August 28, 2012, at Police Headquarters, 1125 Locust, Kansas City, Missouri, for the purpose of discussing employment matters.

The following Commissioners were present and voted to go into closed session as follows:

Mayor Sylvester "Sly" James, Jr. - Aye
Commissioner Angela Wasson-Hunt - Aye
Commissioner Alvin Brooks - Aye
Commissioner Patrick McInerney - Aye
Commissioner Lisa T. Pelofsky - Aye

There being a quorum present and the question of holding a closed session having received an affirmative public vote of at least three (3) members, a closed meeting was held as set forth above.

A motion was made by Commissioner Brooks with a second by Commissioner McInerney to go out of the special closed session at 10:35 a.m. The following Commissioners were present and voted to go out of the special closed session as follows:

Mayor Sylvester "Sly" James, Jr. - Aye
Commissioner Angela Wasson-Hunt - Aye
Commissioner Alvin Brooks - Aye
Commissioner Patrick McInerney - Aye
Commissioner Lisa T. Pelofsky - Aye

The open Board meeting resumed at 10:45 a.m.

7. Administration Bureau.

A/ Deputy Chief Pruetting submitted the Personnel Summary dated July 31, 2012. Current department strength is 1,356 law enforcement personnel

compared to 1,386 for this same time period in 2011. There are 577 civilians compared to 571 for the same time period 2011.

A/ Deputy Chief Pruetting submitted documents related to DOCVIEW online report sales and asked that this item be removed from this agenda for discussion at a later date.

He introduced Mr. Lynn Gant, from the City's IT department who is currently the Acting Division Commander for the police department's Information Services Division. A/ Deputy Chief Pruetting said it has been a smooth transition and Mr. Gant is doing a great job.

8. <u>Patrol Bureau</u>.

Deputy Chief Cheryl Rose presented the Monthly Crime Summary for June 2012. This report is Attachment "C" to these minutes. Also submitted was the July 2012, Traffic Summary which is marked as Attachment "D" to these minutes and the 2012 Second Quarter Fatality Report which is marked as Attachment "E" to these minutes.

With regard to response times, Deputy Chief Rose advised that the goal was met on priority 10 calls and they were slightly above the goal on priority 20 calls. Overall, the response time goal was met 44 percent of the time. She said she is pleased with the response time numbers because officers have answered 4,000 more calls this year.

Deputy Chief Rose reported that year-to-date there have been 34 fatal crashes with 35 for last year during same time period. Arrests for DWI are up 50 from last year.

Deputy Chief Rose discussed the youth activities held in conjunction with the City. The program is known as "Club KC" and it began on June 23, 2012. The City opened two community centers on Friday and Saturday nights and by the fourth week attendance had grown. Crime statistics were down in the areas surrounding the community centers. Deputy Chief Rose commended Major Melvin Harvey for overseeing this initiative and he attended every weekend. Both on-duty and off-duty officers worked at the community centers. Deputy Chief Rose said the program was a success this summer and hopes to be able to expand it next summer by utilizing another community center. She said the final event for the summer was "Sly's Rock the Block" party at 47th and Troost, which went very well with only minor incidents. She thanked the Mayor for implementing this program.

Mayor James thanked the commanders and officers who participated. He pointed out some issues, one being that attendance was so great that the City did not have enough space to accommodate those attending. Additionally, some of the youth were not picked up by their parents after the event and neighbors did not appreciate the youth roaming the neighborhood.

Mayor James said he believes that Club KC helped to prevent problems from occurring on the Plaza.

Commissioner Wasson-Hunt asked if the problems with E-Ticketing have been resolved. Deputy Chief Rose said she has no new information about this problem. Next month an update will be provided to the Board on Sprint, REJIS, and E-Ticketing.

Commissioner McInerney left the meeting at 10:55 a.m.

9. <u>Deputy Chief Patty Higgins</u>.

- a. <u>Entrant Officer Class Summary</u>. Deputy Chief Higgins submitted the Entrant Officer Class Summary dated August 13, 2012. Seven people have left the academy class to pursue other endeavors.
- b. <u>Consent Agenda items</u>. Deputy Chief Higgins advised that Project #320, P.I. 04-3, Fiscal Procedures, was removed from discussion at this time due to revisions requested by Commissioner McInerney.

A motion was made by Commissioner Brooks, with a second by Commissioner Wasson-Hunt approving the following Consent Agenda items:

Project #138, P.I. 03-7, Intoxicated driving arrests.

Project #461, PPBM, 811-3, Aerobics program.

Project #464, PPBM, 1005, Missouri Workers' Compensation Law.

Project #623, P.I., 05-6, Animal bite reporting.

Project #620, P.I., 09-11, Use of department and private vehicles.

The vote was 4-0 in favor.

- **10.** <u>Executive Services Bureau.</u> Deputy Chief Gallagher presented the following items for Board approval:
- a. <u>TopCam II in-car video systems</u>. Deputy Chief Gallagher submitted a memorandum dated August 13, 2012, requesting authorization to purchase 50 TopCam II video systems to replace existing broken systems and equip new patrol test vehicles. The estimated cost for this equipment is \$212,500.

With regard to the backlog of equipment installation, Commissioner Pelofsky asked if the police department could budget to hire contract help to assist with this installation. Deputy Chief Gallagher said a company in Kansas

City, Kansas has assisted with installation on some patrol test vehicles and this was more cost effective than hiring additional police department personnel. Supervisor Paul Kies and Sergeant Lee Richards explained installation process for MDC's used by the police department radio shop.

Mayor James asked if there is a company in Kansas City, Missouri who can provide these services. Deputy Chief Gallagher said the price for installation was very reasonable and was the only option at the time.

Commissioner Pelofsky asked for a list of all equipment that has been purchased in the last year that needs to be installed and an estimate of what it could cost to get caught up. Deputy Chief Gallagher said the Department is close to completing all of the installations.

A motion was made by Commissioner Brooks, with a second by Mayor James approving the purchase of 50 new video systems for an estimated expenditure of \$212,500. The vote was 4-0 in favor.

b. Adjustments to special revenue funds for fiscal year 2012-13. Deputy Chief Gallagher presented a memorandum dated August 9, 2012, requesting adjustments for the special revenue accounts for fiscal year 2012-13. A copy of this memorandum is Attachment "F" and made a part of these minutes.

A motion was made by Commissioner Wasson-Hunt with a second by Commissioner Brooks approving the adjustments to special revenue accounts for fiscal year 2012-13. The vote was 4-0 in favor.

c. <u>Budget transfers for fiscal year 2012-13</u>.

Deputy Chief Gallagher submitted a memorandum dated August 16, 2012, outlining the details of these budget transfers. A copy of this memorandum is Attachment "G" and made a part of these minutes.

A motion was made by Commissioner Wasson-Hunt with a second by Mayor James approving the budget transfers as presented. The vote was 4-0 in favor.

- d. <u>Budget Summary Report for the month of July</u>. Deputy Chief Gallagher submitted this memorandum, dated August 16, 2012, for informational purposes only. A copy of this memorandum is Attachment "H" and made a part of these minutes.
- e. <u>General fund first quarter projection</u>. Deputy Chief Gallagher submitted this memorandum, dated August 16, 2012, which reported that the police department's budget reflects a deficit of \$5.8 million. The police department is currently working with the City to receive \$5 million dollars in additional, promised appropriations to balance the FY13 budget. The report was provided for informational purposes only. This item is Attachment "I" and made a part of these minutes.
- f. Adjustments to special revenue funds for fiscal year 2012-13. Deputy Chief Gallagher presented a memorandum dated August 22, 2012, requesting adjustments for the special revenue accounts for fiscal year 2012-13. A copy of this memorandum is Attachment "J" and made a part of these minutes.

A motion was made by Commissioner Wasson-Hunt with a second by Mayor James approving the adjustments to special revenue accounts for fiscal year 2012-13. The vote was 4-0 in favor.

g. <u>Copier rental U.S. Communities Contract #58795</u>. Deputy Chief Gallagher submitted a memorandum dated August 14, 2012, recommending approval of a 24 month contract extension with Ricoh at an annual cost of \$167,702.04.

Deputy Chief Gallagher advised that the police department is exploring the future possibility of consolidating copier rental with the City, and immediate action is required on this contract to bring the police department to the same schedule with the City's contract that will enable future consolidation.

A motion was made by Commissioner Wasson-Hunt with a second by Mayor James approving the 24 month contract extension (Option 2) with Ricoh at an annual cost of \$167,702.04. The vote was 4-0 in favor.

11. Ms. I. Pearl Fain.

Ms. Fain presented the monthly statistical report for July 2012. This report is maintained in the Office of Community Complaints. OCC received a total of 29 complaints for the month of July 2012, and 13 of these complaints were submitted to the Internal Affairs Unit for Investigation.

12. <u>Chief's Office</u>. A/ Deputy Chief Pruetting submitted the monthly OCC investigations report dated August 2, 2012. There were 20 OCC's under investigation at the end of July, none of which were granted extensions beyond 60 days. IAU has received a total of 90 OCC's this year compared to 122 during

the same period last year. Ninety-four investigations were completed and forwarded to OCC compared to 109 for the same period last year.

- **13.** <u>Audit Committee update</u>. Commissioner Wasson-Hunt had nothing to report at this time.
- 14. <u>Fraternal Order of Police Lodge No. 99</u>. Officer Steve Miller said Detective John Cooley and Master Detective Mike Bailey were presented with the FBI's Shield of Bravery medal on August 8, 2012, in Washington, D.C. The FOP wishes to congratulate these officers for being recognized by the FBI and for their outstanding courage and bravery in the line of duty.

Officer Miller advised that the FOP has moved into their new location at 527 W. 39th Street. The legal counsel for FOP, McCauley & Roach, LLC, have also moved to that location.

Commissioner Brooks congratulated the officers.

15. Executive Services Bureau (for cause). Deputy Chief Gallagher revisited the memorandum dated August 22, 2012, entitled "Adjustments to Special Revenue Funds for Fiscal Year 2012-13." Included in this memorandum was a recommendation to purchase services from AOS, Inc., for equipment needed for the mainframe transition in the amount of \$851,838.10. These funds will come from the public safety sales tax fund. Mr. Paul Kies said the police department urgently needed additional equipment for the mainframe transition currently underway. Because of the urgent need, Mr. Kies included this item with the request for special revenue funds adjustments.

A motion was made by Commissioner Brooks with a second by Commissioner Wasson-Hunt approving the use of public safety sales tax funds to purchase mainframe transition equipment from AOS, Inc., for the amount of \$851,838.10. The vote was 4-0 in favor.

- 16. <u>Commissioner Angela Wasson-Hunt</u>. Commissioner Wasson-Hunt thanked Captain Mike Corwin for explaining the Law Enforcement Resource Center development. She said it was fascinating information.
- 17. <u>Commissioner Alvin Brooks</u>. Commissioner Brooks said he has been monitoring the radio traffic of the various patrol divisions and is very impressed with the job of the calltakers and dispatchers. He suggested that the Communications Unit be recognized with a Board resolution for the work that they do. Commissioner Wasson-Hunt agreed that these personnel do a great job and she suggested that the other Commissioners take the time to visit the Communications Unit and listen in while sitting beside a calltaker or dispatcher.

18. <u>Commissioner Lisa Pelofsky</u>.

Commissioner Pelofsky presented Board Resolution 12-05 which commends the actions of the KCPD during the All-Star game. Mr. Kenner read the resolution aloud.

A motion was made by Commissioner Brooks with a second by Commissioner Wasson-Hunt ratifying Board Resolution No. 12-05, commending the actions of the KCPD during the All-Star game. The vote was 4-0 in favor.

19. <u>Scheduled meetings</u>.

Regular Board Meetings:

Tuesday, September 25, 2012 9:00 a.m., 6th floor, Board room

Tuesday, October 23, 2012 9:00 a.m., 6th floor, Board room

A motion was made by Mayor James with a second by Commissioner Wasson-Hunt to go into closed session at 11:37 a.m. to discuss legal matters, employment matters, and litigation matters. The vote was 4-0 in favor. Following polling Mayor James voted aye, Commissioner Wasson-Hunt voted aye, Commissioner Brooks voted aye, and Commissioner Pelofsky voted aye.

RESOLUTION

WHEREAS, notice of the board meeting of the Board of Police Commissioners was given on May 23, 2012, and

WHEREAS, said notice indicated that the Board of Police Commissioners might go into closed session during said meeting, and

WHEREAS, notice of the closed meeting follows the guidelines of Section 610.020 of the Revised Statutes of Missouri.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Police Commissioners go into closed session during the meeting being held on Tuesday, August 28, 2012, at Police Headquarters, 1125 Locust, Kansas City, Missouri, for the purpose of discussing legal matters, employment matters, and litigation matters.

The following Commissioners were present and voted to go into closed session as follows:

Mayor Slyvester "Sly" James, Jr. - Aye Commissioner Lisa T. Pelofsky - Aye Commissioner Alvin Brooks - Aye Commissioner Wasson-Hunt - Aye

There being a quorum present and the question of holding a closed session having received an affirmative public vote of at least three (3) members, a closed meeting was held as set forth above.

1) Following a motion by Mayor James and a second by Commissioner Wasson-Hunt, the Board voted to go into closed session to discuss legal matters, employment matters, and litigation matters. The vote was 4-0 in favor. Following polling, Commissioner Pelofsky voted aye, Commissioner Brooks voted aye, Mayor James voted aye, and Commissioner Wasson-Hunt voted aye.

Commissioner Brooks temporarily left the meeting.

2) Following a motion by Commissioner Wasson-Hunt and a second by Commissioner Brooks, the Board voted to approve the minutes of the closed session of the July 17, 2012, meeting. The vote was 3-0 in favor. Following polling, Commissioner Pelofsky voted Aye, Commissioner Brooks voted Aye, and Commissioner Wasson-Hunt voted Aye.

Commissioner Brooks returned to the meeting.

Mayor James left the meeting at 12:55 p.m.

3) Following a motion by Commissioner Wasson-Hunt and a second by Commissioner Brooks, the Board voted to approve the duty-related disability retirement of Police Officer Perry Wilkerson. The vote was 3-0 in favor.

Following polling, Commissioner Pelofsky voted Aye, Commissioner Brooks voted Aye, and Commissioner Wasson-Hunt voted Aye.

- 4) Following a motion by Commissioner Wasson-Hunt and a second by Commissioner Brooks, the Board voted to approve the application for continued employment of Police Officer Sharyn Mills. The vote was 3-0 in favor. Following polling, Commissioner Pelofsky voted Aye, Commissioner Brooks voted Aye, and Commissioner Wasson- Hunt voted Aye.
- 5) Following a motion by Commissioner Wasson-Hunt and a second by Commissioner Brooks, the Board voted to approve the personal service contract with Tammy Jarowitz. The vote was 3-0 in favor. Following polling, Commissioner Pelofsky voted Aye, Commissioner Brooks voted Aye, and Commissioner Wasson- Hunt voted Aye.
- 6) Following a motion by Commissioner Brooks and a second by Commissioner Wasson-Hunt, the Board voted to go out of closed session and adjourn at 1:12 p.m. The vote was 3-0 in favor. Following polling, Commissioner Pelofsky voted Aye, Commissioner Brooks voted Aye, and Commissioner Wasson-Hunt voted Aye.

	President
Secretary/Attorney	